

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT GARDNER,

Plaintiff,

v.

LANSING COMMUNITY COLLEGE, et al.,

Defendants.

Case No. 1:10cv326

HON. ROBERT J. JONKER

ORDER

This matter is before the Court on Defendant's Motion to Compel (docket # 43). The motion papers state that Interrogatories and Document Requests were served on Plaintiff on May 31, 2011, making responses due near the end of June. At the time of motion (August 8, 2011), Plaintiff had still not responded, despite a written inquiry from defense counsel that also went unanswered for over three weeks. Plaintiff has now responded to the Motion (docket # 46) on the expedited schedule ordered by the Court. The Response does not take issue with anything asserted in the Defendant's Motion, but asks for seven additional days to provide responses to the outstanding discovery.

The responses are obviously overdue, and there is no excuse offered for the delay. Nor is there even an explanation for why Plaintiff did not endeavor to work out an informal extension with Defendant, or at least respond to Defendant's written inquiry. Smooth discovery and case management depend upon parties honoring their obligations under the rules, and upon counsel working together to accommodate reasonable scheduling issues and extension requests. Ignoring timely served discovery requests, and then further ignoring a follow up written inquiry and waiting for an inevitable motion is unacceptable. It leads to unnecessary expense and delay.

Accordingly, **IT IS ORDERED** that Defendant's Motion to Compel is **GRANTED**. Plaintiff shall serve full and complete responses to the outstanding written discovery requests not later than Monday, **August 15, 2011**. **IT IS FURTHER ORDERED** under Rule 37(a)(5) that Plaintiff is obligated to pay Defendant's reasonable expenses, including attorney fees, in bringing the motion to compel. Defendant may submit its expense and fee request within 7 days.

/s/Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE

Dated: August 12, 2011